

ceived in excess of the amount that corresponds to the period of active duty of the officer.

“(d) SPECIAL RULE FOR RESERVE MEDICAL OFFICER.—While a reserve medical officer receives a special pay under section 302 of title 37, United States Code, by operation of subsection (a), the officer shall not be entitled to special pay under subsection (h) of that section.

“(e) PERIOD OF APPLICABILITY.—Subsection (a) shall apply during the period beginning on August 1, 1990, and ending on the first day of the first month beginning on or after the date 180 days after the end of the Persian Gulf conflict.”

§ 302g. Special pay: Selected Reserve health care professionals in critically short wartime specialties

(a) SPECIAL PAY AUTHORIZED.—An officer of a reserve component of the armed forces described in subsection (b) who executes a written agreement under which the officer agrees to serve in the Selected Reserve of an armed force for a period of not less than one year nor more than three years, beginning on the date the officer accepts the award of special pay under this section, may be paid special pay at an annual rate not to exceed \$25,000.

(b) ELIGIBLE OFFICERS.—An officer referred to in subsection (a) is an officer in a health care profession who is qualified in a specialty designated by regulations as a critically short wartime specialty.

(c) TIME FOR PAYMENT.—Special pay under this section shall be paid annually at the beginning of each twelve-month period for which the officer has agreed to serve.

(d) REPAYMENT.—An officer who does not complete the period of service in the Selected Reserve specified in the agreement entered into under subsection (a) shall be subject to the repayment provisions of section 303a(e) of this title.

(e) TERMINATION OF AGREEMENT AUTHORITY.—No agreement under this section may be entered into after December 31, 2007.

(Added Pub. L. 104-106, div. A, title VI, §614(a)(1), Feb. 10, 1996, 110 Stat. 360; amended Pub. L. 104-201, div. A, title VI, §611(a), Sept. 23, 1996, 110 Stat. 2543; Pub. L. 105-85, div. A, title VI, §611(a), Nov. 18, 1997, 111 Stat. 1785; Pub. L. 105-261, div. A, title VI, §611(a), Oct. 17, 1998, 112 Stat. 2038; Pub. L. 106-65, div. A, title VI, §611(a), Oct. 5, 1999, 113 Stat. 649; Pub. L. 106-398, §1 [[div. A], title VI, §621(a)], Oct. 30, 2000, 114 Stat. 1654, 1654A-151; Pub. L. 107-107, div. A, title VI, §611(a), Dec. 28, 2001, 115 Stat. 1135; Pub. L. 107-314, div. A, title VI, §612(e), Dec. 2, 2002, 116 Stat. 2567; Pub. L. 108-136, div. A, title VI, §612(e), Nov. 24, 2003, 117 Stat. 1501; Pub. L. 108-375, div. A, title VI, §612(e), Oct. 28, 2004, 118 Stat. 1947; Pub. L. 109-163, div. A, title VI, §§622(e), 687(b)(10), Jan. 6, 2006, 119 Stat. 3294, 3329; Pub. L. 109-364, div. A, title VI, §§612(e), 616(a), Oct. 17, 2006, 120 Stat. 2248, 2249.)

PRIOR PROVISIONS

Provisions similar to those in this section were contained in Pub. L. 100-456, div. A, title VI, §613, Sept. 29, 1988, 102 Stat. 1981, as amended, which was set out as a note under section 302 of this title, prior to repeal by Pub. L. 104-106, §614(c)(1).

AMENDMENTS

2006—Subsec. (a). Pub. L. 109-364, §616(a), substituted “\$25,000” for “\$10,000”.

Subsec. (d). Pub. L. 109-163, §687(b)(10)(A), (B), added subsec. (d) and struck out heading and text of former subsec. (d). Text read as follows: “An officer who voluntarily terminates service in the Selected Reserve of an armed force before the end of the period for which a payment was made to such officer under this section shall refund to the United States the full amount of the payment made for the period on which the payment was based.”

Subsec. (e). Pub. L. 109-364, §612(e), substituted “December 31, 2007” for “December 31, 2006”.

Pub. L. 109-163, §687(b)(10)(A), (C), redesignated subsec. (f) as (e) and struck out heading and text of former subsec. (e). Text read as follows: “A discharge in bankruptcy under title 11 that is entered less than five years after the termination of an agreement under this section does not discharge the person receiving special pay under the agreement from the debt arising under the agreement.”

Subsec. (f). Pub. L. 109-163, §687(b)(10)(C), redesignated subsec. (f) as (e).

Pub. L. 109-163, §622(e), substituted “December 31, 2006” for “December 31, 2005”.

2004—Subsec. (f). Pub. L. 108-375 substituted “December 31, 2005” for “December 31, 2004”.

2003—Subsec. (f). Pub. L. 108-136 substituted “December 31, 2004” for “December 31, 2003”.

2002—Subsec. (f). Pub. L. 107-314 substituted “December 31, 2003” for “December 31, 2002”.

2001—Subsec. (f). Pub. L. 107-107 substituted “December 31, 2002” for “December 31, 2001”.

2000—Subsec. (f). Pub. L. 106-398 substituted “December 31, 2001” for “December 31, 2000”.

1999—Subsec. (f). Pub. L. 106-65 substituted “December 31, 2000” for “December 31, 1999”.

1998—Subsec. (f). Pub. L. 105-261 substituted “December 31, 1999” for “September 30, 1999”.

1997—Subsec. (f). Pub. L. 105-85 substituted “September 30, 1999” for “September 30, 1998”.

1996—Subsec. (f). Pub. L. 104-201 substituted “September 30, 1998” for “September 30, 1997”.

EFFECTIVE DATE OF 2006 AMENDMENT

Pub. L. 109-364, div. A, title VI, §616(b), Oct. 17, 2006, 120 Stat. 2249, provided that: “The amendment made by subsection (a) [amending this section] shall take effect on October 1, 2006, and shall apply to agreements entered into or revised under section 302g of title 37, United States Code, on or after that date.”

SAVINGS PROVISION

For savings provision relating to payment or repayment of any bonus, incentive pay, special pay, or similar pay obligated to be paid before Apr. 1, 2006, under a provision of this section amended by section 687(b) of Pub. L. 109-163, see section 687(f) of Pub. L. 109-163, set out as a note under section 510 of Title 10, Armed Forces.

§ 302h. Special pay: accession bonus for dental officers

(a) ACCESSION BONUS AUTHORIZED.—(1) A person who is a graduate of an accredited dental school and who, during the period beginning on September 23, 1996, and ending on December 31, 2007, executes a written agreement described in subsection (c) to accept a commission as an officer of the armed forces and remain on active duty for a period of not less than four years may, upon the acceptance of the agreement by the Secretary concerned, be paid an accession bonus in an amount determined by the Secretary concerned.

(2) The amount of an accession bonus under paragraph (1) may not exceed \$200,000.

(b) **LIMITATION ON ELIGIBILITY FOR BONUS.**—A person may not be paid a bonus under subsection (a) if—

(1) the person, in exchange for an agreement to accept an appointment as an officer, received financial assistance from the Department of Defense to pursue a course of study in dentistry; or

(2) the Secretary concerned determines that the person is not qualified to become and remain certified and licensed as a dentist.

(c) **AGREEMENT.**—The agreement referred to in subsection (a) shall provide that, consistent with the needs of the armed service concerned, the person executing the agreement will be assigned to duty, for the period of obligated service covered by the agreement, as an officer of the Dental Corps of the Army or the Navy or an officer of the Air Force designated as a dental officer.

(d) **REPAYMENT.**—A person who, after signing an agreement under subsection (a), is not commissioned as an officer of the armed forces, does not become licensed as a dentist, or does not complete the period of active duty specified in the agreement shall be subject to the repayment provisions of section 303a(e) of this title.

(Added Pub. L. 104-201, div. A, title VI, § 615(c)(1), Sept. 23, 1996, 110 Stat. 2545; amended Pub. L. 107-107, div. A, title VI, § 618, Dec. 28, 2001, 115 Stat. 1137; Pub. L. 107-314, div. A, title VI, § 612(f), Dec. 2, 2002, 116 Stat. 2568; Pub. L. 108-136, div. A, title VI, § 612(f), Nov. 24, 2003, 117 Stat. 1501; Pub. L. 108-375, div. A, title VI, § 612(f), Oct. 28, 2004, 118 Stat. 1947; Pub. L. 109-163, div. A, title VI, §§ 622(f), 687(b)(11), Jan. 6, 2006, 119 Stat. 3294, 3329; Pub. L. 109-364, div. A, title VI, §§ 612(f), 617(a), Oct. 17, 2006, 120 Stat. 2248, 2249.)

AMENDMENTS

2006—Subsec. (a)(1). Pub. L. 109-364, § 612(f), substituted “December 31, 2007” for “December 31, 2006”.

Pub. L. 109-163, § 622(f), substituted “December 31, 2006” for “December 31, 2005”.

Subsec. (a)(2). Pub. L. 109-364, § 617(a), substituted “\$200,000” for “\$30,000”.

Subsec. (d). Pub. L. 109-163, § 687(b)(11), amended heading and text of subsec. (d) generally, substituting provisions referring to repayment provisions of section 303a(e) for specific provisions relating to refunds required when officer fails to become and remain certified or licensed as dentist or fails to complete total period of active duty.

2004—Subsec. (a)(1). Pub. L. 108-375 substituted “December 31, 2005” for “December 31, 2004”.

2003—Subsec. (a)(1). Pub. L. 108-136 substituted “December 31, 2004” for “December 31, 2003”.

2002—Subsec. (a)(1). Pub. L. 107-314 substituted “December 31, 2003” for “December 31, 2002”.

2001—Subsec. (a)(1). Pub. L. 107-107 substituted “September 23, 1996, and ending on December 31, 2002” for “the date of the enactment of this section, and ending on September 30, 2002”.

EFFECTIVE DATE OF 2006 AMENDMENT

Pub. L. 109-364, div. A, title VI, § 617(e), Oct. 17, 2006, 120 Stat. 2251, provided that: “The amendments made by this section [enacting sections 302k and 302l of this title and amending this section] shall take effect on October 1, 2006, and shall apply to agreements—

“(1) entered into or revised under section 302h of title 37, United States Code, on or after that date; or
“(2) entered into under section 302k or 302l of such title, as added by subsections (b) and (c), on or after that date.”

SAVINGS PROVISION

For savings provision relating to payment or repayment of any bonus, incentive pay, special pay, or similar pay obligated to be paid before Apr. 1, 2006, under a provision of this section amended by section 687(b) of Pub. L. 109-163, see section 687(f) of Pub. L. 109-163, set out as a note under section 510 of Title 10, Armed Forces.

§ 302i. Special pay: pharmacy officers

(a) **ARMY, NAVY, AND AIR FORCE PHARMACY OFFICERS.**—Under regulations prescribed pursuant to section 303a of this title, the Secretary of the military department concerned may, subject to subsection (c), pay retention special pay under this section to an officer who—

(1) is a pharmacy officer in the Medical Service Corps of the Army or Navy or the Biomedical Sciences Corps of the Air Force; and

(2) is on active duty under a call or order to active duty for a period of not less than one year.

(b) **PUBLIC HEALTH SERVICE CORPS.**—Subject to subsection (c), the Secretary of Health and Human Services may pay retention special pay under this section to an officer who—

(1) is an officer in the Regular or Reserve Corps of the Public Health Service and is designated as a pharmacy officer; and

(2) is on active duty under a call or order to active duty for a period of not less than one year.

(c) **LIMITATION ON ELIGIBILITY FOR SPECIAL PAY.**—Special pay may not be paid under this section to an officer serving in a pay grade above pay grade O-6.

(d) **LIMITATION ON AMOUNT OF SPECIAL PAY.**—The amount of retention special pay paid to an officer under this section may not exceed \$15,000 for any 12-month period.

(Added Pub. L. 106-398, § 1 [div. A], title VI, § 628(a)], Oct. 30, 2000, 114 Stat. 1654, 1654A-154; amended Pub. L. 107-314, div. A, title VI, § 615(g), Dec. 2, 2002, 116 Stat. 2569.)

AMENDMENTS

2002—Subsecs. (a), (b). Pub. L. 107-314, § 615(g)(1), substituted “retention special pay under this section” for “special pay at the rates specified in subsection (d)”.

Subsec. (c). Pub. L. 107-314, § 615(g)(2), inserted “ON ELIGIBILITY FOR SPECIAL PAY” after “LIMITATION” in heading.

Subsec. (d). Pub. L. 107-314, § 615(g)(3), added subsec. (d) and struck out heading and text of former subsec. (d). Text read as follows: “The rate of special pay paid to an officer under subsection (a) or (b) is as follows:

“(1) \$3,000 per year, if the officer is undergoing pharmacy internship training or has less than 3 years of creditable service.

“(2) \$7,000 per year, if the officer has at least 3 but less than 6 years of creditable service and is not undergoing pharmacy internship training.

“(3) \$7,000 per year, if the officer has at least 6 but less than 8 years of creditable service.

“(4) \$12,000 per year, if the officer has at least 8 but less than 12 years of creditable service.